

UNITED STATES DISTRICT COURT

for the
District of New MexicoUnited States District Court
Albuquerque, New MexicoMitchell R. Elfers
Clerk of CourtIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)1201 Iron Ave SW, Apartment 23, Albuquerque, NM
87102Case No. **23mr2064**

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, incorporated by reference.

located in the _____ District of New Mexico, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☐ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. 922(g)(1) and 924	Possession of a firearm and ammunition by a prohibited person

The application is based on these facts:

Please see attached affidavit (reviewed by AUSA Maria Elena Stiteler)

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Jessica M. Carreon #345
Applicant's signature

Jessica M. Carreon, FBI Task Force Officer
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephonically sworn and electronically signed (specify reliable electronic means).

Date: November 2, 2023City and state: Albuquerque, New Mexico

John F. Robbenhaar
Judge's signature

John F. Robbenhaar, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

INTRODUCTION

I, Jessica M. Carreon, being duly sworn, depose and say:

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the premises located at **1201 Iron Ave SW, Apartment 23, Albuquerque, NM 87102** (hereinafter referred to as the “Subject Premises”) for FBI fugitive **JOSEPH ERIC SILVA** (hereinafter referred to as “**SILVA**”) a/k/a “Slick.” More detailed descriptions and photographs of the Subject Premises and **SILVA** are attached hereto and incorporated by reference.

PURPOSE OF THE AFFIDAVIT

2. This affidavit seeks a search warrant to allow the FBI to enter the Subject Premises to search for **SILVA**, who is currently wanted by the FBI Albuquerque Field Office for being a Felon in Possession of a Firearm and Ammunition in violation of 18 U.S.C §§ 922(g)(1) and 924. Should **SILVA** not be at the Subject Premises when the warrant is served, I am requesting permission to search the premises for evidence of his current whereabouts.

AFFIANT’S RELEVANT TRAINING AND EXPERIENCE

3. I am currently a Task Force Officer (“TFO”) with the Federal Bureau of Investigation (“FBI”). I have been a sworn law enforcement officer for over nine years, serving as a Bernalillo County Sheriff’s Office (“BCSO”) field services deputy, and a violent crimes and homicide detective. I am currently assigned to the FBI Violent Crime Task Force (“VCTF”)¹ of the Albuquerque Division. I have been assigned to this position since February of 2020. In my

¹ The VCTF is an FBI-sponsored task force comprised of investigators from the FBI, Drug Enforcement Administration, New Mexico State Police, Albuquerque Police Department, Bernalillo County Sheriff’s Office and Valencia County Sheriff’s Office. The VCTF primarily focuses on violent gang-affiliated, repeat offenders engaged in federal firearm or drug related crimes.

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current assignment, I primarily investigate violent repeat offenders and federal drug and firearm-related crimes.

4. My investigative experience includes interviewing subjects, targets and witnesses; conducting surveillance; executing search and arrest warrants; managing cooperating sources; analyzing records; and working on joint investigations and operations with law enforcement officers from other federal, state and local agencies. Through my training and experience and investigative participation, I am familiar with the methods and means utilized by individuals, drug trafficking organizations (DTOs), and gang/criminal enterprises to purchase, transport, store, and distribute controlled substances and firearms. I know that firearms are tools of the trade and instrumentalities of the crime of drug trafficking, particularly in instances involving subjects who have committed prior violent crimes and/or firearms violations. It has been my experience that criminals who illegally possess firearms often do not part with such firearms, as it may be difficult for criminals to acquire firearms through legal means.

5. This affidavit is based on my own investigation and information obtained from law enforcement officers as well as official law enforcement reports, and court documents. This affidavit does not set forth all of my knowledge, or summarize all of the investigative efforts, in this on-going investigation.

FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE

6. On October 4, 2023, **SILVA** was indicted by the Grand Jury in the United States District Court for District of New Mexico in case number CR 23-1478-WJ and charged with a violation of 18 U.S.C. §§ 922(g)(1) and 924, that is, being a Felon in Possession of a Firearm and Ammunition. The FBI is in possession of **SILVA**'s arrest warrant.

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7. I queried federal and state law enforcement databases and commercial databases (such as LexisNexis and Accurint²) and I believe **SILVA** currently resides at the Subject Premises.

The facts that support my belief are as follows:

a. On October 30, 2023, I queried **SILVA** and his girlfriend, Antonia Sosa, using local court records and observed they were listed as residents of the Subject Premises and are scheduled to attend a writ of restitution hearing on November 3, 2023. Additionally, I located several traffic citations issued to **SILVA** in the last 12 months, which indicated that, at the time of the citations, **SILVA** possessed and was driving a red Camaro with New Mexico license plate AXTZ49.

b. On October 30, 2023, I drove to the area of the Subject Premises and located a red Camaro parked in front of the Subject Premises that resembled the red Camaro **SILVA** is known to drive regularly.

c. Law enforcement conducted periodic surveillance on the Subject Premises between Monday, October 30, 2023, and the present time, and observed **SILVA** at the location.

8. Based on my review of **SILVA**'s criminal history and court records, I am aware that **SILVA** has a 2001 conviction for murder in the 2nd degree (with a firearm enhancement), tampering with evidence, and conspiracy to commit 2nd degree murder, out of the Second Judicial District Court, Bernalillo County. In 2002 he pled guilty in the United States District Court, District of New Mexico, to 21 U.S.C. § 841(b)(10)(C), that being, possession with intent to distribute 50 kilograms and more of marijuana. In 2004 he was convicted of trafficking a controlled substance

² LexisNexis and Accurint are locate-and-research tools available to government and commercial customers that collect, and store information related to public and non-public records, as well as information intended to be used by debt collectors to locate individuals and assets.

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in the Fourth Judicial District Court, Guadalupe County. After completing sixteen (16) years in the New Mexico Department of Corrections, he was released in 2020. Since his release, **SILVA** has been arrested for assault on a household member, battery on a household member, possession of drug paraphernalia, careless driving, receiving or transferring a stolen motor vehicle, receiving stolen property, possession of a controlled substance, tampering with evidence, aggravated assault (with a deadly weapon), and abuse of a child not resulting in death.

9. FBI Special Agents and TFOs will attempt to arrest **SILVA** at the Subject Premises. Should **SILVA** not be at the Subject Premises when the warrant is served, I request that agents be permitted to conduct a limited search of the premises for items that may document, record, or depict **SILVA**'s current whereabouts. Based on my training and experience, I understand that people often leave evidence of their daily schedules, activities, travel patterns, appointments, planned outings, meetings, and social or business interactions in the normal course of living within their premises. Furthermore, personal calendars, appointment books, telephone books, address books, notes, notebooks, mail, photographs, phone messages, credit card receipts, statements, bank receipts and statements, telephone statements, hotel or motel receipts, room keys, business cards, travel itinerary, restaurant receipts, airplane tickets and/or other items pertaining to the defendant's current location may aid agents in locating and arresting **SILVA**.

THE SUBJECT PREMISES

10. The Subject Premises is located at **1201 Iron Ave SW, Apartment 23, Albuquerque, NM 87102**, and may be described as an apartment located within a multi-family apartment complex. Apartment 23 is located on the second floor, with the primary entrance facing east, and with the numbers "23" clearly displayed on the front door's trim. Color photographs of the location have been included in Attachment A. The search of the Subject Premises shall include

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the entire residence and all outbuildings, trash cans, and storage containers associated with the Subject Premises, as well as vehicles parked at, or in front of, the Subject Premises.³

CONCLUSION


11. Based on the aforementioned information, I submit that probable cause exists to search the Subject Premises, further described in Attachment A, for **SILVA** or evidence of his current whereabouts, further identified and described in Attachment B, pursuant to Rule 41 of the Federal Rules of Criminal Procedure. This affidavit has been reviewed for legal sufficiency by Assistant United States Attorney Maria Elena Stiteler of the District of New Mexico.

Respectfully submitted,

Handwritten signature of Jessica M. Carreon in blue ink, followed by the number #345.

Jessica M. Carreon
Task Force Officer
Federal Bureau of Investigation

TELEPHONICALLY SWORN AND ELECTONRICALLY SUBMITTED
ON NOVEMBER2nd 2023.

Handwritten signature of John F. Robbenhaar in blue ink.

HONORABLE JOHN F. ROBBENHAAR
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF NEW MEXICO

³ Only vehicles parked at the Subject Premises or in front of the Subject Premises and having an apparent connection to the Subject Premises will be searched. Connection to the Subject Premises may be established by way of prior law enforcement observation, vehicle registration, subject admission or possession of an ignition key.

ATTACHMENT A
Premises to be Searched

The Subject Premises is located at **1201 Iron Ave SW, Apartment 23, Albuquerque, New Mexico** and may be described as an apartment in a multi-family apartment complex. Apartment 23 is located on the second floor, with the primary entrance facing east, the numbers “23” are clearly displayed on the front door’s trim. Color photographs are posted below.

The search of the Subject Premises shall include the entire residence (that is, Apartment 23) and all outbuildings, trash cans, and storage containers associated with the Subject Premises, as well as all vehicles parked at, or in front of, the Subject Premises.¹

10/30/2023 Surveillance Photos



¹ Only vehicles parked at or in front of the Subject Premises and having an apparent connection to the Subject Premises will be searched. Connection to the Subject Premises may be established by way of prior law enforcement observation, vehicle registration, subject admission or possession of an ignition key.

ATTACHMENT B
Person and Items to be Seized

1. **Person to be Seized: JOSEPH ERIC SILVA a/k/a "SLICK"** (born in 1985) who is believed to live at 1201 Iron Ave SW, Apartment 23, Albuquerque, New Mexico, and is depicted in the photograph below, and who is a person to be arrested pursuant to a federal arrest warrant.



2. Should **SILVA** not be at the Subject Premises when the warrant is served, the FBI will search for items that may document, record, or depict **SILVA's** current whereabouts, including evidence of his schedule, activities, travel patterns, appointments, planned outings, meetings, and social or business interactions in the normal course of living within the premises, personal calendars, appointment books, telephone books, address books, notes, notebooks, mail, photographs, phone messages, credit card receipts, statements, bank receipts and statements, telephone statements, hotel or motel receipts, room keys, business cards, travel itinerary, restaurant receipts, airplane tickets and/or other items pertaining to **SILVA's** current location.